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Docket 4987 US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark R. ANDERSEN et al.

Application No.: 10/665,671

Filed: September 19, 2003

For: **METHODS AND
COMPOSITIONS FOR
DETECTING TARGETS**

) Group Art Unit: 1634

) Examiner: Ethan Whisenant, Ph.D.

CERTIFICATE OF MAILING

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.
- (e) ☒ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.
- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items listed on PTO/SB/08A that are not U.S. patents/publications are being supplied herewith.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: 4-27-06

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<div>Substitute for form 1449A/PTO</div> <div>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> <div>(Use as many sheets as necessary)</div>				Complete if Known	
				Application Number	10/665,671
				Filing Date	September 19, 2003
				First Named Inventor	Mark R. ANDERSEN et al.
				Group Art Unit	1634
				Examiner Name	Ethan WHISENANT, Ph.D.
Sheet	1	of	2	Attorney Docket No.	4987 US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	01	5,824,469	A	Horwitz et al.	10-20-1998	
	02	5,952,202	A	Aoyagi et al.	09-14-1999	
	03	5,994,058	A	Senapathy	11-30-1999	
	04	6,084,102	A	Kutyavin et al.	07-04-2000	
	05	6,130,073	A	Edderding	10-10-2000	
	06	6,312,892	B1	Barany et al.	11-06-2001	
	07	6,350,580	B1	Sorge	02-26-2002	
	08	5,989,898		Grossman et al.	11-23-1999	
	09	2004-0214196	A1	Aydin	10-28-2004	
	10	2004-0235005	A1	Friedlander et al.	11-25-2004	
	11	2005-0272071	A1	Lao et al.	12-08-2005	
	12	2004-0110134	A1	Wenz et al.	06-10-2004	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	13	WO	96/15271	A	Abbott Laboratories	05-23-1996		
	14	WO	01/57269	A	Illumina, Inc.	08-09-2001		
"	15	WO	01/06012	A	PE Corporation	01-25-2001		
	16	WO	01/92579	A	Wentz et al.	12-06-2001		
	17	WO	2005/026389	A	Max-Planck Inst.	03-24-2005		
	18	EP	1 130 113	A	Schouten, J.	09-05-2001		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				Examiner Name	Ethan WHISENANT, Ph.D.
Sheet	2	of	2	Attorney Docket No.	4987 US

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	19	U.S. Patent Application No. 09/584,905 filed March 30, 2000	
	20	International Search Report dated March 28, 2005 issued in International Application No. PCT/US03/29867, 9 pages	
	21	Supplementary European Search Report dated November 14, 2005, issued in European Application No. 03759406.6, 5 pages	

Examiner Signature		Date Considered	
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